

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division**

MARY SHARON WALKER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
NEW ENGLAND COMPOUNDING	)	
PHARMACY, INC. d/b/a	)	
NEW ENGLAND	)	
COMPOUNDING CENTER,	)	Civil Action No. 7:12-cv-564
	)	
and	)	
	)	
IMAGE GUIDED PAIN	)	
MANAGEMENT, P.C. d/b/a	)	
INSIGHT IMAGING ROANOKE,	)	
	)	
Defendants.	)	

**IMAGE GUIDED PAIN MANAGEMENT, P.C.'S  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

COMES NOW Defendant Image Guided Pain Management, P.C. d/b/a Insight Imaging-Roanoke ("IGPM"), by counsel, and moves the Court to dismiss Plaintiff's Complaint for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for the reasons set forth in its Memorandum of Law filed contemporaneously herewith.

Respectfully submitted,

IMAGE GUIDED PAIN  
MANAGEMENT, P.C.

By: /s/ Michael P. Gardner

John T. Jessee (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
Michael P. Gardner (VSB No. 80380)  
LeClairRyan, A Professional Corporation  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
(540) 510-3000 (telephone)  
(540) 510-3050 (facsimile)  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
michael.gardner@leclairryan.com

*Counsel for Defendant Image Guided Pain  
Management, P.C.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 26th day of February 2013, a true and exact copy of the foregoing was filed with the Clerk of the Court using the CM/ECF filing system, thereby providing electronic notice to jtravers@millerfirmllc.com, mmiller@millerfirmllc.com, and will@moodyrrlaw.com, counsel for plaintiff, and to rebecca.herbig@bowmanandbrooke.com, counsel for defendant NECC.

\_\_\_\_\_/s/ Michael P. Gardner